

REMARKS

Claims 13 and 17-22 are now pending in this application. Claims 1-12 and 14-16 have been cancelled as they are being pursued in a parent application (serial number 09/972,559). Claim 13 has been amended to incorporate the limitations of Claim 12 and to specify the location of the drive motor as described in paragraph 25 of the specification. Claim 17 is new. Claim 17 closely mirrors the Claim 17 added TO THE '559 application during prosecution except that it requires that a drive motor (mounted as indicated in paragraph 25 of the specification) rotate the drive roller. Claims 18-22 are also new. Claims 18, 20, and 21 find support in paragraph 27 of the specification. Claims 19 and 22 find support in paragraphs 34-40 of the specification.

Rejections under 35 U.S.C. § 102 in the '559 Application

In an office action dated April 4, 2003 for the '559 application, the Examiner rejected claims similar to Claims 13 and 17 under 35 USC § 102(b) citing Fujimoto (JP 52-10730). A claim is anticipated if, and only if, each and every limitation set forth in the claim can be found expressly or inherently in a single piece of prior art. *Verdegaal Bros. V. Union Oil Co, of California* 814 F.2d 628, 631 (Fed. Cir.1987).

Specifically the Examiner stated:

Fujimoto discloses a print recording source, a pick arm having a proximal portion (24) and a distal portion (27), a hinge point (where 24 and 27 meet), a pivot point, a pick roller (36), a drive motor, and a means for inducing a moment on the pick arm.


Making no reference to the text, the Examiner appears to be relying solely on Fujimoto's drawings (provided in Appendix A).

Claim 13 requires a drive motor mounted to a distal portion of the pick arm. Claim 17 requires that a drive motor mounted to a distal portion of a pick arm rotate a drive roller. While Fujimoto's drawings might infer a drive motor, no drive motor is mounted to a distal portion of a pick arm. Claims 13 and 17 are felt to distinguish over Fujimoto. Claims 18 and 19 depend from Claims 17. Claims 20-22 depend from Claim 13. As such, Claims 18-22 are felt to distinguish over Fujimoto.

In view of the foregoing amendments and remarks, Applicant respectfully submits that Claims 13 and 17-22 are all in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,
John A. Underwood

By

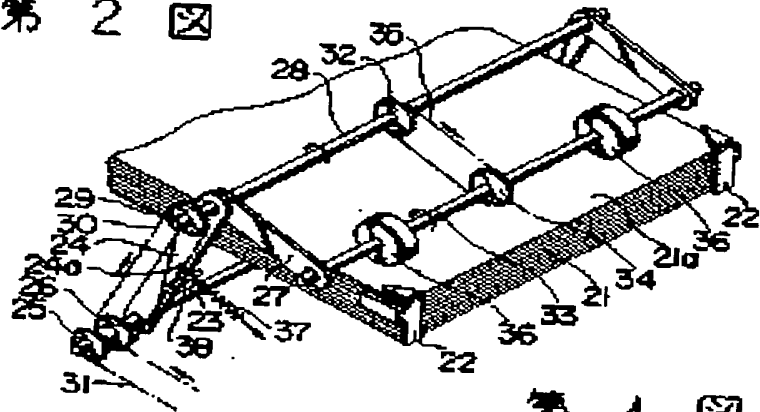


Jack H. McKinney
Reg. No. 45,685

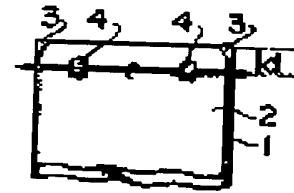
July 16, 2003

APPENDIX A

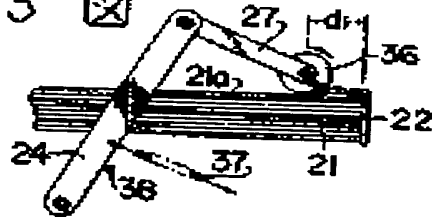
第 2 图



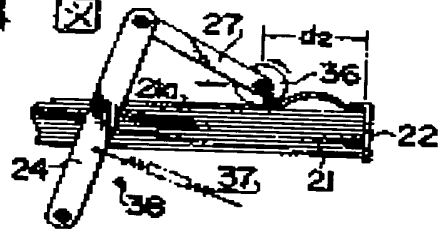
第 1 图



第 3 图



第 4 图



特图 52-10730(4)